

Ahilan T. Arulanantham (SBN 237841)  
arulanantham@law.ucla.edu  
CENTER FOR IMMIGRATION LAW AND  
POLICY, UCLA SCHOOL OF LAW  
385 Charles E. Young Dr. East  
Los Angeles, CA 90095  
Telephone: (310) 825-1029

Emilou MacLean (SBN 319071)  
emaclean@aclunc.org  
Michelle (Minju) Y. Cho (SBN 321939)  
mcho@aclunc.org  
Amanda Young (SBN 359753)  
ayoung@aclunc.org  
ACLU FOUNDATION  
OF NORTHERN CALIFORNIA  
39 Drumm Street  
San Francisco, CA 94111-4805  
Telephone: (415) 621-2493  
Facsimile: (415) 863-7832

Attorneys for Plaintiffs  
*[Additional Counsel Listed on Next Page]*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

NATIONAL TPS ALLIANCE, MARIELA  
GONZÁLEZ, FREDDY JOSE ARAPE RIVAS,  
M.H., CECILIA DANIELA GONZÁLEZ  
HERRERA, ALBA CECILIA PURICA  
HERNÁNDEZ, E.R., HENDRINA VIVAS  
CASTILLO, A.C.A., SHERIKA BLANC, VILES  
DORSAINVIL, and G.S.,

Plaintiffs,

vs.

KRISTI NOEM, in her official capacity as  
Secretary of Homeland Security, UNITED  
STATES DEPARTMENT OF HOMELAND  
SECURITY, and UNITED STATES OF  
AMERICA,

Defendants.

Case No. 3:25-cv-01766-EMC

**DECLARATION OF EMILOU MACLEAN  
IN SUPPORT OF PLAINTIFFS' MOTION  
FOR ORDER SHORTENING TIME AND  
SETTING SCHEDULE**

1 Additional Counsel for Plaintiffs

2 Jessica Karp Bansal (SBN 277347)

jessica@ndlon.org

3 Lauren Michel Wilfong (*Pro Hac Vice*)

lwilfong@ndlon.org

4 NATIONAL DAY LABORER

ORGANIZING NETWORK

5 1030 S. Arroyo Parkway, Suite 106

Pasadena, CA 91105

6 Telephone: (626) 214-5689

7 Eva L. Bitran (SBN 302081)

ebitran@aclusocal.org

8 Diana Sanchez (SBN 338871)

dianasanchez@aclusocal.org

9 ACLU FOUNDATION

OF SOUTHERN CALIFORNIA

10 1313 West 8th Street

Los Angeles, CA 90017

11 Telephone: (213) 977-5236

12 Erik Crew (*Pro Hac Vice*)

ecrew@haitianbridge.org

13 HAITIAN BRIDGE ALLIANCE

4560 Alvarado Canyon Road, Suite 1H

14 San Diego, CA 92120

15 Telephone: (949) 603-7411

1 I, Emilou MacLean, declare as follows:

2 1. I am an attorney at law duly licensed and entitled to practice in the State of  
3 California. I am a Senior Staff Attorney at ACLU Foundation of Northern California, counsel of  
4 record in this action for Plaintiffs. I have personal knowledge of the facts set forth in this declaration  
5 and, if called as a witness, I could and would testify competently thereto.

6 2. I file this Declaration in support of Plaintiffs' Administrative Motion for Order  
7 Shortening Time and Setting Schedule Re: Plaintiffs' Motion to Preserve Status and Rights Under  
8 Section 705 ("Motion for Order Shortening Time").

9 3. This case challenges, *inter alia*, Defendants' decisions to "vacate" the January 17,  
10 2025 extension of Temporary Protected Status ("TPS") for Venezuela and subsequently terminate  
11 TPS for nearly 350,000 Venezuelan TPS holders who first qualified for TPS protection under the  
12 2023 designation. This Court granted Plaintiffs' motion to postpone both decisions on March 31,  
13 2025. Defendants moved to stay that order. After this Court and the Ninth Circuit denied  
14 Defendants' motion, the Supreme Court granted a stay in a two-paragraph ruling issued on May 19,  
15 2025. *See* Mot. to Preserve, Ex. A (Dkt. 144-1).

16 4. In the second paragraph of its order, the Supreme Court stated that the order "is  
17 without prejudice to any challenge to Secretary Noem's February 3, 2025 vacatur notice insofar as it  
18 purports to invalidate EADs, Forms I-797, Notices of Action, and Forms I-94 issued with October 2,  
19 2026 expiration dates. *See* 8 U. S. C. §1254a(d)(3)." *Id.* Accordingly, Plaintiffs are moving to  
20 preserve the status and rights under 5 U.S.C. section 705 of the particular individuals identified in  
21 the Supreme Court's order with "EADs, Forms I-797, Notices of Action, and Forms I-94 issued with  
22 October 2, 2026 expiration dates." *See* Mot. to Preserve (Dkt. 144).

23 5. I met and conferred with Defendants' counsel regarding Plaintiffs' planned Motion to  
24 Preserve on May 21, 2025. Defendants' counsel stated that DHS is reviewing the Supreme Court's  
25 order and has no position to provide at this time.

26 6. At the meet-and-confer, Defendants' counsel stated that Defendants would agree to  
27 Plaintiffs' proposal that Defendants file their opposition to the Motion to Preserve on Wednesday,  
28 May 28, 2025 by 9:00 am PST. However, Defendants' counsel stated Defendants would not agree to

1 Plaintiffs' request that the Motion to Preserve be heard at the previously-scheduled hearing in this  
2 matter on May 29, 2025, at 1:30 pm PST.

3 I declare under penalty of perjury under the laws of the United States of America that the  
4 foregoing is true and correct.

5  
6 Executed on May 21, 2025, in San Francisco, California.

7 Emilou MacLean

8 Emilou MacLean